

ESTTA Tracking number: **ESTTA627010**Filing date: **09/15/2014**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Petition for Cancellation**

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	Liberty Procurement Co. Inc.		
Entity	Corporation	Citizenship	New York
Address	650 Liberty Avenue Union, NJ 07083 UNITED STATES		

Attorney information	Gregg A. Paradise Lerner, David, Littenberg, Krumholz & Mentlik, LLP 600 South Avenue West Westfield, NJ 07090 UNITED STATES gparadise@ldlkm.com, litigation@ldlkm.com Phone: 9085186323
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Registration Subject to Cancellation

Registration No	771191	Registration date	06/09/1964
International Registration No.	NONE	International Registration Date	NONE
Registrant	YAMASA SHOYU KABUSHIKI KAISHA (A/T/A YAMASA CORPORATION) 10-1, ARAOI-CHO 2-CHOME, CHOSHI-SHI CHIBA-KEN, JAPAN		

Goods/Services Subject to Cancellation

Class 030. First Use: 0 First Use In Commerce: 0 All goods and services in the class are cancelled, namely: All-Purpose Food Seasonings and Spices

Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	FLAVE Petition for Cancellation.pdf(20626 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Overnight Courier on this date.

Signature	/Gregg A. Paradise/
Name	Gregg A. Paradise

Date	09/15/2014
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

LIBERTY PROCUREMENT CO. INC.,	:	
	:	Registration No. 0,771,191
Petitioner,	:	
	:	
v.	:	Mark: FLAVE
	:	
YAMASA SHOYU KABUSHIKI KAISHA	:	
(A/T/A YAMASA CORPORATION)	:	
	:	Cancellation No. _____
Respondent.	:	
_____	:	X

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

PETITION FOR CANCELLATION

Petitioner Liberty Procurement Co. Inc. ("Petitioner"), requests cancellation of the above-identified registration. The basis for cancellation is set forth below.

1. Petitioner is a New York corporation with a business address of 650 Liberty Avenue, Union, New Jersey 07083.
2. Upon information and belief, Registrant Yamasa Shoyu Kabushiki Kaisha (A/T/A Yamasa Corporation) ("Respondent"), is a Japanese corporation with an address of 10-1, Araoi-Cho 2-Chome, Choshi-Shi Chiba-Ken Japan.
3. Upon information and belief, Respondent is the owner of U.S. Trademark Registration No. 0,771,191 ("the Registration").

4. Petitioner is the owner of Trademark Application No. 86/294,818 ("the Application") for the mark FLAVE. Petitioner's Application lists various goods in Classes 29, 30, and 32, and was filed on May 29, 2014.

5. Respondent's Registration is for use of the mark in connection with All-Purpose Food Seasonings and Spices in Class 30.

6. Upon information and belief, Respondent has not used the mark FLAVE in connection with the goods listed in Respondent's Registration for at least the past three years, and thus Respondent has ceased use of the mark and is presumed to not have an intent to resume use.

7. Through Respondent's failure to use the mark FLAVE in connection with the goods listed in Respondent's Registration, Respondent abandoned all rights in and to the Registration.

8. Petitioner will be damaged by the continued existence of Trademark Registration No. 0,771,191.

9. Therefore, Petitioner asserts that Respondent's Registration for 0,771,191 should be cancelled pursuant to 15 U.S.C. § 1119 due to abandonment.

10. Please charge the fee of \$300 for a petition to cancel a registration in one class to Deposit Account No. 12-1095. The undersigned is authorized to make charges to said deposit account.

11. WHEREFORE, Petitioner prays that Registration No. 0,771,191 is cancelled.

Respectfully submitted,

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP

Attorneys for Petitioner

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Litigation@ldlkm.com

Dated: September 15, 2014

By: /Gregg A. Paradise/
Gregg A. Paradise

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Petition for Cancellation was served on September 15, 2014, via Federal Express, on the Correspondent listed, addressed as follows:

Howard N. Aronson
LACKENBACH SIEGEL LLP
One Chase Road
Lackebach Siegel Building
Scarsdale, New York 10583

/Gregg A. Paradise/
Gregg A. Paradise